

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of  
itself and all other similarly situated entities,

SUMMONS IN A CIVIL ACTION

V.

WACHOVIA BANK, N.A., et al.

CASE NUMBER:

08 CV 2516

TO: (Name and address of Defendant)

XL ASSET FUNDING LLC  
20 N. Martingale Road, Suite 200  
Schaumburg, IL 60173-2415

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP  
152 W. 57TH STREET  
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAR 13 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 03-27-08 @ 10:55 am
NAME OF SERVER (PRINT) Robert D. Fairbanks	TITLE Private Process Server
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____	
<input type="checkbox"/> Returned unexecuted: _____ _____	
<input type="checkbox"/> Other (specify): <u>by serving David G. Castano, Senior Vice President/General Counsel,</u> <u>authorized to accept. Service was completed at 20 N. Martingale Road, Suite</u> <u>200, Schaumburg, IL 60173.</u>	

**STATEMENT OF SERVICE FEES**

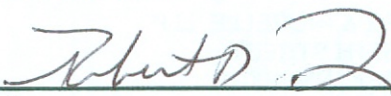
TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 03-27-08  
Date

Signature of Server



Address of Server

Capitol Process Services, Inc.  
1827 18th Street, NW  
Washington, DC 20009

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.